IN THE HIGH COURT OF JUDICATURE AT BOMBAY

APPELLATE SIDE

CRIMINAL APPLICATION NO. 3048 OF 2007

Ganesh Jayling Gunjawane. ... Applicant.

V/s.

The State of Maharashtra. ... Respondent.

Priyal G. Sarda for the applicant.

Ms.S.D.Shinde, APP for the respondent.

CORAM: V.C.DAGA, J.

DATED: 27th September 2007.

P.C.:

. Heard learned counsel for the applicant and learned A.P.P. for the State.

2. The impugned order dated 18th April, 2007 passed by the Sessions Court, Pandharpur shows that the matter was not considered on merits. Only on the ground of default, application came to be rejected. Learned counsel for the applicant submits that the applicant has deposited amount of costs subsequent to the order dated 18th April, 2007. He also submits that the applicant shall remain present before the Court below.

3. In the above view of the matter, by consent of parties, the impugned order dated 18th April, 2007 is set aside. Application for bail is restored to the file of the Sessions Court. Proceedings are remitted back for reconsideration on merits. All rival contentions are kept open.

4. Application stands disposed of in terms of this order.

JUDGE